

**UNITED STATES DISTRICT COURT
PROBATION OFFICE
DISTRICT OF NEW JERSEY**

CHRISTOPHER MALONEY
CHIEF PROBATION OFFICER

April 6, 2010

WILFREDO TORRES
SENIOR DEPUTY CHIEF PROBATION OFFICER

DEPUTY CHIEF PROBATION OFFICER
THOMAS C. MILLER

**SUPERVISION UNIT
20 WASHINGTON PLACE
6TH FLOOR
NEWARK, NJ 07102-317
(973) 645-6161
FAX: (973) 645-2155
www.njp.uscourts.gov**

The Honorable Dickinson R. Debevoise
Senior U.S. District Judge
Martin Luther King Federal Building and Courthouse
50 Walnut Street
Newark, N.J. 07102

**RE: CROSS, WAYNE
DKT# CR00197-010
Outstanding Restitution Balance**

Dear Judge Debevoise,

The above-captioned individual was sentenced by Your Honor on January 10, 2005 to six months imprisonment to be followed by three years supervised release for Health Care Fraud. The following special conditions were imposed: 1) Restitution in the amount of \$70,000 to be paid jointly and severally, 2) No new debt, 3) Financial Disclosure, and 4) DNA.

On April 14, 2008, Your Honor signed a petition for Violation of Supervised Release charging Cross with 1) Leaving the Judicial District without permission and 2) Association with a person convicted of a felony. On June 23, 2008, Cross plead guilty to count one of the violation and was sentenced to six months imprisonment to be followed by one year of supervised release with all the previously ordered special conditions.

Cross was released from custody on May 8, 2009, and his supervision is due to terminate on May 7, 2010. Since his release, he has been cooperative and compliant with all conditions of supervision. He has maintained a stable residence, but has not been employed throughout most of his supervision. This appears to be due to economic conditions and Cross's age, rather than his lack of trying.

Despite his unemployment, Cross has made restitution payments to the best of his ability. A balance of \$67,425 remains. The Probation office recommends the supervision be allowed to terminate as scheduled since the restitution order remains imposed as a final judgment pursuant to Title 18 United States Code, Section 3664(0). By copy of this letter, we are also advising the Financial Litigation Unit of the United States Attorney's Office.

If Your Honor requests an alternative course of action, please feel free to contact the undersigned at 973-223-0768. We remain available should the Court wish to discuss this matter further.

Respectfully submitted,

Christopher Maloney, Chief
U.S. Probation Officer

Nancy Hildner / jg
By: Nancy Hildner
Senior U.S. Probation Officer

 X The Court approves of the offender expiring from supervision without further action.

 The Court disapproves of the offender expiring from supervision and instructs the
Probation Office to return this matter to Court for a review hearing.

William R. Weber

Signature of Judicial Officer

April 6, 2010.

Date

cc: Financial Litigation Unit, U.S. Attorney's Office